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January 27, 2021

**BY ECF**

The Honorable Loretta A. Preska  
U.S. District Court for the Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street - Room 2220  
New York, New York 10007

The sealing request is  
granted. SO ORDERED.

*Loretta A. Preska* 1/28/2021

Re: *Fontana, et al. v. Republic of Argentina*, No. 03 Civ. 08531 (LAP)

Dear Judge Preska:

On behalf of the Republic of Argentina (the “Republic”), I respectfully write in connection with the Republic’s opposition to the motion filed by Guillermo Gleizer on December 24, 2020 in the above-captioned case (the “Motion”). Pursuant to Your Honor’s Individual Practice Rule 2.H, the Republic respectfully requests leave to file an unredacted copy of its Memorandum in Opposition to the Motion under seal. In accordance with Rule 2.H, we are contemporaneously filing the redacted document in public view in the ECF system. Gleizer’s counsel has consented to this request.

The proposed redactions correspond with citations to documents in the record that have been filed under seal pursuant to the Court’s Order dated December 23, 2020, *see* ECF No. 113, and the confidentiality agreement entered by the parties and so-ordered by the Court, *see* ECF No. 109. The sealed documents are email communications between the Republic and Plaintiffs prior to and subsequent to the Master Settlement Agreement’s February 8, 2016 date (Bates Numbers ARG-FON0000334–ARG-FON0000419). These emails, which attach non-final settlement agreements, “do not carry a presumption of public access” since “the discussions and documents exchanged before an agreement has been reached . . . play a ‘negligible role’ . . . in the trial judge’s exercise of Article III judicial power.” *See United States v. Glens Falls Newspapers, Inc.*, 160 F.3d 853, 857-58 (2d. Cir. 1998) (holding that “the presumption of access to settlement negotiations, draft agreements, and conference statements is negligible to nonexistent”).

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We therefore ask the Court to grant the Republic leave to file under seal an unredacted copy of the Republic's Memorandum in Opposition to the Motion and to publicly file a redacted copy of the same.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rahul Mukhi", is enclosed within a thin black rectangular border.

Rahul Mukhi

cc: Counsel of Record (via ECF)